UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,240	12/03/2003	Jose Abad Peiro	200313161-1	4907

22879 7590 09/07/2007	EXAMINER	
HEWLETT PACKARD COMPANY	TRAN, QUOC A	
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INTELLECTUAL PROPERTY ADMINISTRATION	ART UNIT	PAPER NUMBER
FORT COLLINS, CO 80527-2400	2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/727,240	PEIRO ET AL.
	Examiner	**Art Unit**	
	Tran A. Quoc	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _02 August 2007_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _35-54_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _35-54_ is/are rejected.

7) ☒ Claim(s) _48_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _02 August 2007_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

This is a **Non Final** Rejection in response to the RCE filed on 08/02/2007.

Claims 35-54 are pending. Applicant has cancelled claims 1-34, and adds new

claims 35-54. Claims 35, 42 and 49 are independent claims, Effective filing date

12/03/2003 (HP).

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

08/02/2007 has been entered.

Claim Objections

Claim 48 is objected to because of the following informalities:

- All paragraphs in the claims, which follow the "*New*" The method of claim 1,

  however, claim 1 has been cancelled from consideration due to Applicant

  amendment filed 08/02/2007. In the interest of compact prosecution, the

  application is further examined against the prior art, as stated below, upon the

  assumption that claim 48 is depend upon independent claim 42.

  Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 35-54 are rejected under 35 U.S.C. 103(a) as being unpatentable

over <u>Kloosterman</u> et al. US 20040066527A1 – filed 10/02/2002 [hereinafter

"Kloosterman"], in view of <u>Kueny</u> US007020837B1 filed 11/29/2001 [hereinafter

"Kueny"].

Regarding independent claim 35, Kloosterman teaches:

> *A processor-readable medium comprising processor- executable*
>
> *instructions for generating a PPML (personalized print markup language)*
>
> *document, the processor-executable instructions comprising instructions*
>
> *for: marking a first PDF document to create a PPML template, wherein*
>
> *portions of the first PDF document are marked to become variables in the*
>
> *PPML template and other portions of the first PDF document are marked to*
>
> *become a background in the PPML template;*

(See Kloosterman at Page 4 Para 32-35, discloses the raster image processor (RIP)

where the Job Doc Page Mark (PDF Objects) on every page in the VDP (Variable Data

Print), the VDP is a portion of PPML/VDX, and the VDP composes a template

consisting of static images, graphics and text as well as variable images, graphics and

text (i.e. a print job could have a graphical box designated to contain a picture of an

automobile for an advertisement to every person listed within a recipient database, the

decision for the variable data that will be used for the automobile, where the marked file

is .PDF.)

> *populating the PPML template with content and data, wherein the*
>
> *content and data are put into locations within the PPML template*
>
> *associated with the portions of the first PDF document marked to become*
>
> *variable, thereby creating the PPML document;*

(See Kloosterman at Page 1 Para 8, discloses a page definition mark up language,

called Personalized Print Markup Language (PPML) (i.e. PPML template).

Also, see Kloosterman at Pages 1-2 Para 10, discloses VDX is use to create the

composite definition of PPML/VDX (i.e. PPML template).

Also, see Kloosterman at Page 4 Para 32-35, discloses the raster image

processor (RIP) where the Job Doc Page Mark (PDF Objects) on every page in the

VDP (Variable Data Print), the VDP is a portion of PPML/VDX, and the VDP composes

a template consisting of static images, graphics and text as well as variable images,

graphics and text (i.e. a print job could have a graphical box designated to contain a

picture of an automobile for an advertisement to every person listed within a recipient

database, the decision for the variable data that will be used for the automobile, where

the marked file is .PDF.)

> **and printing the second PDF document.**

(See Kloosterman at Page 10 Para 106, discloses Printing Device by Print Job and Update Finish Verification File 410, the PPML/VDX file and the associated Job Ticket/Finish Verification file will be used by the printing device to impose and print the job. The entire job is printed as described by the PPML for the page layout, the PDF objects for page content.)

Kloosterman does not expressly teach, but Kueny teaches:

> **A processor-readable medium comprising processor- executable instructions for translating the PPML document into a PDF (portable document format) document.**

(See Kueny, Col. 1, Lines 45-50, discloses RIP Processor, and PDF.

Also, see Kueny Col. 2, Lines 40-65, teaching a technique for creating a compressed form of Adobe PDF from PPML (i.e. *the compositing language using hereinafter is PPML*).

> **parsing structures within the PPML document; generating a PDF document tree; populating the PDF document tree with objects identified when parsing the PPML document;**

(See Kueny, Col. 2, Lines 40-65, teaching a technique for creating a compressed form of Adobe PDF from PPML (i.e. *the compositing language using hereinafter is PPML*), where the composite page description (i.e. PPML document) can be parsed efficiently into a single, random access data structure representing the entire assembly process.

Also, see Kueny, Col. 3, Lines 25-30, discloses each input static PDF file is

opened and the PDF pages within the files are located, using the root and tree-

structure.)

configuring a second PDF document according to the PDF document tree;

(See Kueny, Col. 3 Line 5 → Col. 4, Line 25, teaching each input static PDF file is

opened and the PDF pages within the files are located, using the root and tree-

structure, and each static page to be composite (PPML) into an new output page (i.e.

second PDF).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Kloosterman's finishing verification printing method to include a

means of translating the PPML document into a PDF (portable document format)

document, parsing structures within the PPML document; generating a PDF document

tree; populating the PDF document tree with objects identified when parsing the PPML

document; configuring a second PDF document according to the PDF document tree of

Kueny, because the PPML/VDX of Kloosterman with the a technique for creating a

compressed form of Adobe PDF from PPML (i.e. *the compositing language using*

hereinafter is PPML) of Kueny, produces a predictable result of utilizing the well known

in the art include ASCII text, PDF-Express script, PPML languages where each resulting

composite page (PPML document) is described separately. Within the description of

each composite page, every placement of a PDF page from a static PDF (See Kueny

col. 2, Lines 55-65.)

Regarding independent claim 42, the rejection of claim 35 is fully incorporated.

In addition, Kloosterman teaches:

> *providing tools to allow a user to mark a first PDF document to create a PPML template, including tools to mark portions of the first PDF document to become variables in the PPML template and tools to mark other portions of the first PDF document to become a background in the PPML template;*

(See Kloosterman at Page 4 Para 32-35, discloses the raster image processor (RIP) where the Job Doc Page Mark (PDF Objects) on every page in the VDP (Variable Data Print), the VDP is a portion of PPML/VDX, and the VDP composes a template consisting of static images, graphics and text as well as variable images, graphics and text (i.e. a print job could have a graphical box designated to contain a picture of an automobile for an advertisement to every person listed within a recipient database, the decision for the variable data that will be used for the automobile, where the marked file is .PDF.)

Also, See Kloosterman at Page 1 Para 8, discloses a page definition mark up language, called Personalized Print Markup Language (PPML) (i.e. PPML template).

Also, see Kloosterman at Pages 1-2 Para 10, discloses VDX is use to create the composite definition of PPML/VDX (i.e. PPML template).

> *merge the PPML template with content and data, wherein the content and data are put into locations within the PPML template associated with the*

portions of the first PDF document marked to become variable, thereby

creating the PPML document;

(See Kloosterman at Page 4 Para 32-35, discloses the raster image processor (RIP)

where the Job Doc Page Mark (PDF Objects) on every page in the VDP (Variable Data

Print), the VDP is a portion of PPML/VDX, and the VDP composes a template

consisting of static images, graphics and text as well as variable images, graphics and

text (i.e. a print job could have a graphical box designated to contain a picture of an

automobile for an advertisement to every person listed within a recipient database, the

decision for the variable data that will be used for the automobile, where the marked file

is .PDF.

Also, see Kloosterman at Page 4 Para 37, discloses the merge process.)

Regarding independent claim 49,

is directed a processor readable medium comprising processor executable

instruction to perform the method of claim 42 which cites above, and is similarly rejected

under the same rationale.

Regarding claim 36, Kloosterman teaches:

> *resolving tags found when parsing the PPML document referring to*
>
> *external objects by un-marshalling the external objects and inserting them*
>
> *within the PDF document tree.*

(See Kloosterman at Page 4 Para 32-35, discloses the raster image processor (RIP)

where the Job Doc Page Mark (PDF Objects) on every page in the VDP (Variable Data

Print), the VDP is a portion of PPML/VDX, and the VDP composes a template

consisting of static images, graphics and text as well as variable images, graphics and

text (i.e. a print job could have a graphical box designated to contain a picture of an

automobile for an advertisement to every person listed within a recipient database, the

decision for the variable data that will be used for the automobile, where the marked file

is .PDF.

Also, See Kloosterman Para 94, teaching Prepress 20 allows for a valid

hierarchy of PPML/VDX tags and attributes to be entered as a variant.)

Regarding claim 37, Kloosterman does not expressly teach, but Kueny teaches:

> *interpreting the parsed structures from the PPML document for*
>
> *attachment to locations on the PDF document tree.*

(See Kueny, Col. 2, Lines 40-65, teaching a technique for creating a compressed form

of Adobe PDF from PPML (i.e. *the compositing language using hereinafter is PPML*),

where the composite page description (i.e. PPML document) can be parsed efficiently

into a single, random access data structure representing the entire assembly process.

Also, see Kueny, Col. 3, Lines 25-30, discloses each input static PDF file is

opened and the PDF pages within the files are located, using the root and tree-

structure.)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Kloosterman's finishing verification printing method to include a

means of interpreting the parsed structures from the PPML document for attachment to

locations on the PDF document tree of Kueny, produces a predictable result of utilizing

the well known in the art include ASCII text, PDF-Express script, PPML languages

where each resulting composite page (PPML document) is described separately. Within

the description of each composite page, every placement of a PDF page from a static

PDF (See Kueny col. 2, Lines 55-65.)

Regarding claim 38, Kloosterman teaches:

> ***parsing both background and variable structures within the PPML***
>
> ***document.***

(See Kloosterman at Page 2 Para 14, discloses PPML/VDX instance is created by a

data driven merge process referred to as a variable data merge engine. The merge

engine typically executes within an authoring environment for variable data.)

Regarding claim 39, Kloosterman teaches:

>*assigning rules to govern operation of variables within the PPML*

>*template.*

(See Kloosterman at Page 4 Para 32, discloses PPML/VDX templates rules.)

Regarding claim 40, Kloosterman teaches:

>*wherein the rules are configured as macros.*

(See Kloosterman at Page 4 Para 32 and 38, discloses PPML/VDX templates rules,

where author using the rules for the inclusion of variable objects (i.e. rules are

configured as macros.))

Regarding claim 41, Kloosterman teaches:

>*marking text regions for substitution of alternate text; and marking*

>*image regions for substitution of alternate images.*

(See Kloosterman at Page 4 Para 32-35, discloses the PPML/VDX, and the VDP

composes a template consisting of static images, graphics and text as well as variable

images, graphics and text (i.e. a print job could have a graphical box designated to

contain a picture of an automobile for an advertisement to every person listed within a

recipient database, the decision for the variable data that will be used for the

automobile, where the marked file is .PDF.

Also, See Kloosterman Para 94, teaching Prepress 20 allows for a valid

hierarchy of PPML/VDX tags and attributes to be entered as a variant.)

Regarding claims 43-48 respectively,

the rejections of claims 36-41 respectively are fully incorporated, and are

similarly rejected under the same rationale.

Regarding claims 50-53 respectively,

the rejections of claims 36, 38, and 40-41 respectively are fully

incorporated, and are similarly rejected under the same rationale.

Regarding claim 54,

the rejections of claims 38, and 40 are fully incorporated, and is similarly

rejected under the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the

prior art references and any interpretation of the references should not be considered to

be limiting in any way. A reference is relevant for all it contains and may be relied upon

for all that it would have reasonably suggested to one having ordinary skill in the art.

See, MPEP 2123.

Response to Arguments

The Arguments filed on 08/02/2007 has been fully considered but are moot in

view of the new ground(s) of rejection. This office action is a Non-Final Rejection in

order to give the applicant sufficient opportunity to response to the new line of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran A. Quoc whose telephone number is 571-272-8664. The examiner can normally be reached on 9AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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